IN RE: PETITION FOR VARIANCE W/S Scotts Moore Court, 252' N of the c/l of Highland Ridge Drive * DEPUTY ZONING COMMISSIONER (4 Scotts Moore Court) * OF BALTIMORE COUNTY 10th Election District 3rd Councilmanic District * Case No. 93-447-A C. Dennis Webster, et ux Petitioners

This matter came before the Deputy Zoning Commissioner as a Petition for Variance filed by the owners of the subject property, C. Dennis and Sally H. Webster, seeking variance relief from the Baltimore County Zoning Regulations (B.C.Z.R.) for a proposed dwelling on the subject site.

A public hearing was held on July 20, 1993 during which testimony was taken which revealed site constraints associated with the proposed development and opposition by an adjoining property owner. After the hearing, it was determined that a decision in the matter would be held in abeyance until such time as the concerns raised could be resolved. In December, 1993, this office was advised that the Petitioners wished to withdraw their request and a letter reflecting same was to be submitted to this Office. However, as of April, 1994, this Office had not received a written request for withdrawal.

By letter dated April 11, 1994, the Petitioners were advised that an Order of Dismissal would be issued unless we were notified otherwise within ten (10) days of the date of said letter. Since there has been no response to the letter referenced above, this matter shall be dismissed pursuant to this Order.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this $\frac{37^{1/4}}{}$ day of April, 1994 that the Petition for Variance in the above captioned matter be and the same is hereby DISMISSED

cc: Mr. & Mrs. C. Dennis Webster

11 Harvest Lane, Tinton Falls, New Jersey 07724

People's Counsel; File

without prejudice.

Deputy Zoning Commissione

for Baltimore County

6 Scotts Moore Court, Phoenix, Md. 21131 Mr. & Mrs. Alex T. Brodowski

Mr. Geoffrey C. Schultz c/o McKee & Assoc., Inc., 5 Shawan Road, Hunt Valley, Md. 21030

- 2-

HAZOJAY

Petition for Variance) to the Zoning Commissioner of Baltimore County for the property located at 4 Scotts Moore Ct This Putition shall be filled with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section(s) 1A03.4.B.4 (RC-4) and 1A00.3.B.3 (RDP) to allow sideyard setbacks of 36 feet and 40 feet in lieu of the minimum required 50 feet. of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County, for the following reasons: (indicate hardship or practical difficulty) Due to the placement of a storm drain outfall and easement in the center of the lot, the required 10,000 S.F. Sewage Disposal Area cannot be relocated on the lot. By maintaining the required 20 feet off the septic area, the buyer cannot fit a house of any reasonable size that would meet his needs and also be consistent with the other houses in the neighborhood. Property is to be posted and advertised as prescribed by Zoning Regulations. froperty is to be posited and advertised as prescribed by Σοιπιης πισχυιαιίστες.

I, or we, agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

Contract Purchaser/Lessee	VWe do salemnly declare and affirm, under the penalties of parjury, that I/we are the legal owner(s) of the property which is the subject of this Pettern.
Alex T. & Kathleen M. Brodowski	C. Dennis Webster
Bignature 11 Harvest Lane	Scaller W. W.
Tinton Falls. New Jersey 07724 City State Zipcode	Sally H. Webster (Type or Fried Name) Sepreture Sepreture
(Type or Print Name)	6 Scotts Moore Court Address Phone No
Signature	Phoenix, Maryland 21131 City State Dipcode Name, Address and phone number of representative to be contacted. Geoffrey C. Schultz
Address Phone No City State Zipcode	c/o McKee & Associates, Inc. Name 5 Shawan Road, Hunt Valley, MD 21030
	Phone No (410) 527-1555 OFFICE USE ONLY ESTIMATED LENGTH OF HEARING
	the fellowing dates Heat Two Months ALLOTHER
	17EM #452

MCKEE & ASSOCIATES, INC.

Engineering - Surveying - Real Estate Development

SHAWAN PLACE, 5 SHAWAN ROAD HOME CALLEY MARYLAND 21030

> Telephone (410, 527 1555) Forsimile (410), 527 (563)

93-447-A June 14, 1993

ZONING DESCRIPTION 4 SCOTTS MOORE COURT 10TH ELECTION DISTRICT BALTIMORE COUNTY, MARYLAND

Beginning at a point on the west side of Scotts Moore Court which is 50 feet wide at the distance of 252 feet North of the centerline of Highland Ridge Drive which is 50 feet wide.

Being Lot Number 43, Plat 3, in the subdivision of "The Highlands of Hunt Valley" as recorded in the Baltimore County Plat Book 39, folio 78. Containing 1.173 acres and also being known as #4 Scotts Moore Court and located in the 10th Election District.

ITEM #452

CERTIFICATE OF POSTING

District 101/2	Date of Posting 6/30/93
Posted for:	
Petitioner: Portain Work La Coll	14Wolator + 1Hox & Kothlan Brodowsto
Location of property: 4 Scotts Muo	THE C.S.
£	
Location of Signer / 12774 Youd w	by on from ty of fo titioners.
Remarks:	Date of return: 7/2/93
Posted by Stanta	Date of return: 7/2/93
Number of Signe:	

or seasonate Coursy will hold a public hearing on the property identified hearing in Room 108 of the County Office Building, located at 111 W. Cheespeelin Avenue in Tenson, Maryland 21204 or Room 118, Old Courthouse, 400 Washington Avenue, Towon, Maryland 21204 as follows: Vertanee: to allow aids yeard esthesise of 36 test and 40 feet in law of the minimum required 50

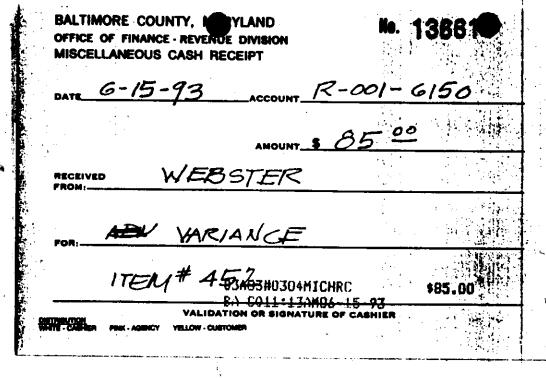
790 July 1

म्प्रिक

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of ____ successive

THE JEFFERSONIAN.



93-447-A

Baltimore County Government Office of Zoning Administration and Development Management

111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

JUNE 25, 1993

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 93-447-A (Item 452) 4 Scotts Moore Court 10th Election District - 3rd Councilmanic Legal Onwer(s): C. Dennis Webster and Sally H. Webster Contract Purchaser(s): Alex T. Brodowski and Kathleen M. Brodowski HEARING: TUESDAY, JULY 20, 1993 at 9:00 a.m. in Rm. 118, Old Courthouse.

Variance to allow side yard setbacks of 36 feet and 40 feet in lieu of the minimum required 50 feet.

cc: C. Dennis and Sally Webster/6 Scotts Moore Court/Phoenix MD 21131 Alex T. and Kathleen Brodowski/11 Harvest Lane/Tinton Falls NJ 07724 McKee & Associates/5 Shwan Road/Hunt Valley MD 21030

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMPODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.

TO: PUTULENT PUBLISHING COMPANY JULY 1, 1993 Issue - Jeffersonian

Please foward billing to:

Geoffrey C. Schultz McKee & Associates, Inc. 5 Shawan Road Hunt Valley, Maryland 21030 (410) 527-1555

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LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

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111 West Chesapeake Avenue Towson, MD 21204

Printed on Rocycled Paper

(410) 887-3353

July 14, 1993

Mr. & Mrs. C. Dennis Webster 6 Scotts Moore Court Phoenix, MD 21131

> RE: Case No. 93-447-A, Item No. 452 Petitioner: C. Dennis Webster Sally H. Webster, et al Petition for Variance

Dear Mr. and Mrs. Webster:

The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e., Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on June 15, 1993, and a hearing was scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.

Zoning Plans Advisory Committee Comments Date: July 14, 1993

> 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.

3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

If you have any questions concerning the enclosed comments, please feel free to contact Helene Kehring in the Zoning Office at 887-3391 or the commenting agency.

Very truly pure, Con Richard

W. Carl Richards, Jr.

Zoning Coordinator

Enclosures c: Mr. Geoffrey C. Schultz c/o McKee & Associates, Inc. 5 Shawan Road

Hunt Valley, MD 21030

State Highway Administration

O. James Lighthizer Hal Kassoff Administrator

Dear Ms. Kehring:

Ms. Helene Kehring

County Office Building

Room 109

Zoning Administration and

Development Management

111 W. Chesapeake Avenue

Towson, Maryland 21204

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration projects.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

John Contestabile, Chief

: BEFORE THE ZONING COMMISSIONER

OF BALTIMORE COUNTY

: Case No. 93-447-A

People's Counsel for Baltimore County

::::::

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the above-

Peter Max Zimmerman

Carole S. Demilio

(410) 887-2188

Room 47, Courthouse

I HEREBY CERTIFY that on this 13th day of July , 1993,

Deputy People's Counsel

400 Washington Avenue

Towson, Maryland 21204

captioned matter. Notices should be sent of any hearing dates or other

proceedings in this matter and of the passage of any preliminary or

My telephone number is _____

RE: PETITION FOR VARIANCE

Petitioners

final Order.

4 Scotts Moore Court, W/S Scotts Moore Ct., 252' N

of C/L Highland Ridge Dr.

3rd Councilmanic District

C. DENNIS WEBSTER, et ux,

10th Election District

Teletypewriter for Impaired Hearing or Speech 383-7555 Baltimore Metro - 565-0451 D.C. Metro - 1-800-492-5062 Statewide Toll Free 707 North Calvert St., Baltimore, Maryland 21203-0717

6233-93

449.ZAC/ZAC1

BALTIMORE COUNTY, MARYLAND Inter-Office Correspondence

TO: Zoning Advisory Committee

DATE: June 28, 1993

ZONING COMMISSIONEF

Captain Jerry Pfeifer SUBJECT: July 06, 1993 Meeting

No Comments No Comments

No Comments No Comments

No Comments

No Comments No Comments

Building shall be in compliance with 1991 Life Safety Code

13-447-9 7/20

No Comments

No Comments

No Comments

ZADM

Baltimore County Government Zoning Commissioner Office of Planning and Zoning

Suite 113 Courthouse 400 Washington Avenue Towson, MD 21204

April 11, 1994

Mr. Geoffrey C. Schultz c/o McKee & Associates, Inc.

(4 Scotts Moore Court) 10th Election District - 3rd Councilmanic District

would be appreciated if you would notify this office in writing of your desire to withdraw the request within ten (10) days of the date of this letter. Upon receipt of your written request for withdrawal, we will issue an Order of Dismissal in the above-captioned matter.

Your attention to this matter will be greatly appreciated.

Very truly yours, Must Ker Kotrow TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

cc: Mr. & Mrs. C. Dennis Webster 6 Scotts Moore Court, Phoenix, Md. 21131

People's Counsel File

(410) 887-4386

5 Shawan Road Hunt Valley, Maryland 21131 RE: PETITION FOR VARIANCE

W/S Scotts Moore Court, 252' N of the c/l of Highland Ridge Drive C. Dennis Webster, et al - Petitioners Case No. 93-447-A

Dear Mr. Schultz:

You may recall some time ago that after the public hearing held in the above-captioned matter, you advised this office by telephone that the property owners wished to withdraw their request for variance. It was apparent at that time that due to site constraints associated with the subject property and opposition to the proposed development by an adjoining property owner, the Petitioners had decided to withdraw their request. As of this date, we have not received a written request for withdrawal from either you or Mr. & Mrs. Webster.

In order that we may properly close our files in this matter, it

a copy of the foregoing Entry of Appearance was mailed to Mr. and Mrs. C. Dennis Webster, 6 Scotts Moore Ct., Phoenix, MD 21131, Petitioners; and Alex T. Brodowski and Kathleen M. Brodowski, Contract Purchasers, 11 Harvest Lane, Tinton Falls, N.J. 07724.

MECHIVED

July 26, 1993

Commissioner Timothy Kotroco Baltimore County Court House Towson, MD

Dear Commissioner,

This is to inform you and Baltimore County that we are officially opposing the zoning variance for the property owned by Sally and Dennis Webster on Scotts Moore Court in Phoenix, Md. which you reviewed and tentatively approved on Tuesday, July 20, 1993.

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

The Office of Planning and Zoning has no comments on the following petition(s):

If there should be any further questions or if this office can provide additional

information, please contact Jeffrey Long in the Office of Planning at 887-3480.

DATE: July 1, 1993

Arnold Jablon, Director

Development Management

FROM: Pat Keller, Deputy Director

Zoning Administration and

Office of Planning and Zoning

Petitions from Zoning Advisory Committee

Item Nos. 449, 451, 452, 463, 464, 465, 486, 469 and 472.

We have owned the home at 2 Scotts Moore Court which is adjacent to the property in question, since April, 1981. In addition to our opposition, the Highlands of Hunt Valley Homeowners Association and our neighbor at 1 Scotts Moore Court, Lee Blewitt, are also opposed to this variance.

We believe the placement of a home on the lot as currently configured would not be in our best interests as long term home owners in Baltimore County. We believe that the zoning regulations are in place for all the right reasons and we followed them when we had our home built. We are not opposed to having a home on the property, in fact, we were delighted to know that such a fine young family would be our neighbors. But to have to squeeze their home on this 1.1 acre lot because the sewer drainage requires an easement that dissects the lot, is a serious problem. In effect, they are building on a half acre lot and in order to do that they require substantial variance relief on both sides of the property.

We would be happy to entertain suggestions on how this can be remedied and thus remove our concerns. Please inform us of the steps required beyond this letter of opposition.

Regards,

Claudia and Ken Miller 2 Scotts Moore Court Phoenix, MD 21131



